



Atty. Dkt. No 039386-0512

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Roger COLEMAN et al.

Title: A NOVEL HUMAN JAK2 KINASE

Appl. No.: 09/467,100

Filing Date: 12/10/1999

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Examiner: R. Hutson

MAR 09 2005

Art Unit: 1652

OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. §1.181 TO WITHDRAW

HOLDING OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition for withdrawal of the holding of abandonment for the above-captioned application.

Applicants received a Notice of Abandonment, mailed 02/24/2005, indicating the above-captioned application was abandoned because the time period for review of the Board of Patent Appeals and Interference decision, dated 11/30/2004, expired and no allowed claims remained in the application.

Applicants submitted a Reply to Decision of Appeal and a Terminal Disclaimer on 01/28/2005, overcoming the Examiner's rejection, and placing claims 30 – 36 in condition for allowance. Attached herewith is a copy of the Reply, Terminal Disclaimer, and a U.S. Patent and Trademark date-stamped postcard receipt, indicating these items were timely filed on 01/28/2005.

A review of the U.S. Patent and Trademark Office file history record shows that the reply and the terminal disclaimer were never entered into the application file.



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In view of the foregoing, Applicants respectfully request withdrawal of the holding of abandonment. Applicants also respectfully request that the reply and terminal disclaimer be entered into the application file, and the application as amended be given favorable reconsideration.

The fee under 37 C.F.R. §1.17(f) is \$400.00. A check for this amount is enclosed herewith, however, since this petition was required due to a U.S. Patent and Trademark Office error, Applicants respectfully request that the fee be refunded and credited to deposit account 19-0741.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 4, 2005

By Michele M. Simkin

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Title: NOVEL HUMAN JAK2 KINASE
Inventor(s): Roger COLEMAN et al
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- Reply to Decision of Appeal (6 pgs.);
 - Terminal Disclaimer (3 pgs.) with Appendix A (5 pgs.);
 - Check Number 41062 for \$110.00 (Terminal Disclaimer Fee).

Due Date: January 30, 2005
Date Filed: 1-28-05

Attorney Initials: MMSC\ELF\mb\kc
Insp. By: COA

